

**\*\*Title:\*\*** People of the Philippines v. John Amet Baello y Guintivano

**\*\*Facts:\*\***

On October 10, 1990, Barangay Captain Eustaquio R. Borja awoke to find that the front door of his residence at No. 164 Evangelista Street, Barangay Santolan, Pasig, Metro Manila, was open and their television set was missing. Eustaquio and his wife discovered the bloodied body of their daughter, Veronica, in her room with the window open. Various items were missing, valued at around PHP 50,000. An autopsy revealed multiple stab wounds as the cause of the death of the victim.

The missing television was later recovered from the house of Eugenio Tagifa, the husband of accused's sister, who indicated that the accused, John Amet Baello, had placed the television under the stairs of his house. On October 13, 1990, Baello was captured and confessed to the robbery but denied killing Veronica Borja. During custodial investigation, Atty. Eber Generoso of the PAO was present, and Baello made an extrajudicial confession.

Baello was charged with Robbery with Homicide. He was tried and found guilty by the Regional Trial Court (RTC) of Pasig, which sentenced him to reclusion perpetua. Baello appealed the decision.

**\*\*Issues:\*\***

1. Whether Baello was fully and duly assisted by a counsel of his choice, and the admissibility of his extrajudicial confession.
2. Whether there was credible evidence of conspiracy in the commission of the crime.
3. The credibility of prosecution witnesses and the sufficiency of evidence to prove Baello's guilt beyond a reasonable doubt.

**\*\*Court's Decision:\*\***

1. **\*\*Assistance of Counsel:\*\*** The Supreme Court found Baello was duly assisted by Atty. Generoso from the PAO, as Baello was informed of his rights and voluntarily accepted Generoso's services. He made his confession after consultation with Generoso, rendering the confession constitutionally valid and admissible.
2. **\*\*Conspiracy:\*\*** The Court held that conspiracy to commit robbery was established by Baello's confession and circumstantial evidence. Despite Baello claiming only participation in the robbery, his joint action with his accomplice Jerry for entering the Borja residence and committing theft established sufficient grounds for conspiracy. Their actions demonstrated a concerted plan, resulting in his liability for the crime of robbery with

homicide under criminal law.

3. **Credibility of Witnesses and Sufficiency of Evidence:** The Court affirmed the credibility of prosecution witnesses, particularly Eugenio Tagifa, whose testimony was upheld despite Baello's accusations of coercion. Tagifa and other testimonies collectively ensnared Baello in a credible version of the facts, supporting the lower court's verdict. There was no error in the trial court's judgment.

The Court affirmed the RTC's decision, applying the aggravating circumstance of unlawful entry for Baello and sentenced him in accordance with the law.

**Doctrine:** The case highlights that an accused's right to counsel is satisfied when they are informed of their right to remain silent and to have competent and independent counsel, even if initially not of their choosing, as long as the appointed counsel adequately assists. When an accused does not object to the chosen counsel during the investigation, it is assumed they have acquiesced to this arrangement. Furthermore, conspiracy does not necessitate direct involvement in every aspect of the crime, underscoring collective liability in cases like robbery with homicide.

**Class Notes:**

- **Custodial Rights:** During custodial investigation, an accused must be informed of their rights, and they must be assisted by competent counsel.
- **Conspiracy:** In robbery with homicide, the liability extends to all conspirators unless they can prove active efforts to prevent the homicide.
- **Admissibility of Confession:** A confession is admissible if made in the presence of duly designated counsel during custodial investigation.
- **Aggravating Circumstances:** Unlawful entry constitutes an aggravating circumstance under the Revised Penal Code Article 14(18).

**Historical Background:**

The case was decided during a time when the Philippine judiciary reaffirmed stringent adherence to human rights in custodial proceedings following the 1987 Constitution, which emphasized individual rights and due processes. This case reflects the judiciary's role in scrutinizing law enforcement's adherence to constitutional safeguards during investigations and trials.